

## **REMARKS**

### ***Claim Rejections - 35 USC § 103***

Claims 1-8 are rejected under 35 USC 103(a) as being unpatentable over either GB 2042704 or GB 1518792 in view of either US 2006/0091827 A1 (Chevalier et al.) or US 6580309 (Jacobs et al.) and US 4979376 (Biehl et al.).

The rejection is respectfully traversed because Biehl et al. does not teach or suggest locating an illumination device inside the cryostat chamber as set forth in claim 1. Rather, Biehl et al. locates an illumination device 8 on frame (pivotal cover) 2, not inside the cryostat chamber defined by steel vessel 15. See Biehl et al. at Fig. 4. This illumination device 8 is described as a “daylight” (fluorescent) illuminator which not only casts illumination down into the cryostat chamber below, but also serves to heat glass pane 3 to prevent fogging. See Biehl et al. at column 3, lines 17-20. Because Biehl et al. uses a heat-generating light source to heat the glass pane, the source is positioned outside cryostat chamber 15 adjacent pane 3. In fact, Biehl et al. provides an example of the prior art discussed at paragraphs [0004] -[0005] of the applicants’ specification, namely the use of a lamp to illuminate a cryostat chamber.

None of the references places a light source inside the cryostat chamber where temperature invariability is crucial. Rather, it is applicants’ own specification which provides this teaching.

In view of this, applicants respectfully submit that the present rejection of claims 1-8 is not supported. Favorable reconsideration of claims 1-8 is respectfully requested.

Claims 9 and 10 are rejected under 35 USC 103(a) as being unpatentable over the references cited against claims 1-8, above, and further in view of US 2004/0032729 A1 (Choi et al.) or US 6594075 (Kanao et al.). The deficiency of Biehl et al. in establishing a *prima facie* case of obviousness against claim 1 (from which claims 9 and 10 indirectly depend), as discussed above, is reiterated here. Allowance of claims 9 and 10 is respectfully requested.

### ***Conclusion***

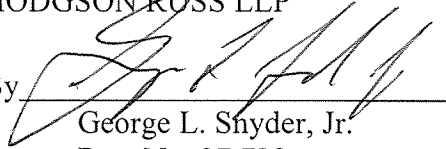
The present application is thought to be in a condition for allowance, and favorable action is respectfully requested. If the Examiner has any questions, or the attorneys for applicant can assist in any way, the undersigned attorney may be contacted at the number provided below.

Appl. No. 10/824,211  
Response to Final Office Action  
Reply to Office Action of Feb. 6, 2007

Respectfully submitted,

HODGSON RUSS LLP

By

A handwritten signature in black ink, appearing to read "G. L. Snyder, Jr.", is written over a horizontal line.

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